

CHAPTER 5: SUBDIVISION STANDARDS, DESIGN, AND IMPROVEMENTS

10.5.1 PURPOSE

The purpose of this Chapter is to:

- A. To assist orderly, efficient, and integrated development, and to promote the health, safety, convenience, order, prosperity, and general welfare of the present and future residents of the Town;
- B. To encourage the proper arrangement of subdivisions in relation to existing or planned subdivisions in order to facilitate safe, efficient and pleasant walking, biking and driving;
- C. To provide for a variety of lot sizes and housing types;
- D. To ensure an adequate and efficient street system by regulating the location, design, class, and type of street, sidewalk and other transportation corridors; and
- E. To secure adequate provisions of water, electric service, drainage, sewers and other facilities and services for the health and safety of Town citizens.

10.5.2 APPLICABILITY

The provisions of this Chapter shall be applicable to all subdivision and re-subdivision of land within the Town. The following shall be excepted from the provisions of this Chapter: (1) division of land through an estate proceeding; (2) division of land through a foreclosure of a deed of trust; (3) adjustment of the boundary line or the transfer of land between 2 adjacent property owners that does not result in the creation of any additional parcels. ~~It shall be unlawful to use, file, or record a plat of a subdivision of land with the Weld County Clerk and Recorder or Boulder County Clerk and Recorder, until the plat is approved by the~~

10.5.3 GENERAL PROVISIONS

~~Town, and signed by duly authorized representatives of the Town.~~

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~~A. Grading and Stormwater Quality Permits~~

~~All construction activities that disturbs 1 or more acres of land, as well as activities that disturb less than 1 acre of land, but are part of a larger common plan of development, must comply with both local and state regulations regarding stormwater drainage on construction sites.~~

~~1. Colorado Stormwater Discharge Permit~~

~~Owners or contractors must obtain a Colorado Stormwater Discharge Permit for construction activities from the Colorado Department of Public Health and Environment (CDPHE).~~

~~2. Grading and Stormwater Quality Permit~~

~~Owners and contractors must also obtain a Grading and Stormwater Quality Permit from the Town.~~

B. Minimum Standards

The standards in this Chapter are minimum standards. The Town may impose more restrictive standards when it finds that they are necessary to conform the design of a proposed subdivision to sound engineering or design standards or other standards in this UDC.

C. Phasing Schedule

The ~~Community Development Director~~Director of Planning and Development may require that a subdivision conform to a phasing schedule based upon the scheduled availability of infrastructure to serve the subdivision. A phasing plan shall be submitted for approval at the time of application for Preliminary Plat and made a condition of that approval or with a subdivision agreement.

D. Compliance with Other Provisions of this UDC

All subdivisions shall comply with all other applicable zoning, design, and development regulations set forth in this UDC, including without limitation~~but not limited to~~:

1. The requirements of the zoning district in which the property is located (see Chapter 2, 3 and 4); and
- ~~2. The requirements relevant to Special Review Uses (see Chapter 3); and~~
- 3-2. Generally applicable development and design standards (see Chapter 6).

E. Compliance with other Town of Erie Adopted Plans and Policies

The design of subdivisions shall be generally consistent with all other adopted plans and policies adopted by the Town, including without limitation~~but not limited to~~:

1. The Town of Erie Comprehensive ~~Master~~ Plan, as amended;
2. The Town of Erie Parks, Recreation, Trails and Open Space Master Plan, as amended;
3. Town of Erie Transportation Plan, as amended;
4. Town of Erie Utility Master Plans, as amended;
5. The Town of Erie Standards and Specifications for Design and Construction of Public Improvements, as amended (the "Standards and Specifications"); and
6. ~~Urban Drainage and Flood Control~~ Mile High Flood District policy and standards, as

10.5.4 LAYOUT AND DESIGN GENERALLY

amended.

No subdivision shall be approved unless it complies with all of the following standards:

A. Name of Subdivision

The title under which the subdivision will be recorded shall not duplicate the name of any existing subdivision in the Town.

B. Natural and Scenic Resource Protection

The standards and requirements in Section 6.2, shall apply to all subdivisions.

C. Natural Hazard Areas

Land subject to hazardous conditions such as landslides, rock falls, expansive soils, mine subsidence, mine shafts, shallow water table, open quarries, floodplains, and polluted or non-potable water supply shall be identified and shall not be subdivided until the hazards have been mitigated or will be mitigated by the subdivision and construction plans.

D. Adjoining Subdivisions

A proposed subdivision shall be designed in such a manner as to be coordinated with adjoining subdivisions (existing and proposed) with respect to the alignment of street right-of-ways, utility and drainage easements, open space, view corridors, pedestrian/bicycle paths, and other relevant design considerations.

E. Lots

1. Lot size, width, depth, shape, and orientation and minimum building setback lines shall be

appropriate for the location of the subdivision and for the type of development and use contemplated, and shall facilitate the placement of buildings with sufficient access, outdoor space, privacy, and view. All lots shall conform to the applicable zoning regulations affecting the property.

2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking, landscaping or planting area, and loading areas required by the type of use and development contemplated.
3. No ~~single~~ lot shall be divided by a municipal or county boundary line.
4. No ~~single~~ lot shall be divided by a zone district boundary line.
5. A lot shall not be divided by a street, or alley, ~~or other lot~~.
6. Each residential lot shall be provided with lot frontage on a street or garden court. Non-residential lots shall be provided with lot frontage on a street or private drive.
7. Corner lots for residential use shall have extra width to accommodate the required building setback line on both street frontages.
8. Wedge-shaped lots shall not be less than 30 feet in width at the front property line.
9. Side lot lines shall be at substantially right angles and radial to curved streets. Where lot lines are not at right angles to the street lines, it shall be indicated on Preliminary and Final Plats.
10. Triple frontage lots and flag lots are prohibited in residential zone districts.
11. Lot widths and minimum square footage shall conform to the requirements of Chapter 4 of this UDC.
12. ~~Residential Double-double~~ frontage ~~residential~~ through lots are only permitted where no other configuration is practicable, ~~such Subdivisions with residential, double frontage through~~ lots shall provide extra lot depth, which is at a minimum 10 feet in addition to the required right-of-way and the minimum lot size, and will be required to provide a minimum 30 foot wide landscape buffer outside of the double frontage lot in a separate tract or easement, at the Town's discretion, of not less than 30 feet on the side designated by the Town. Tracts or easements less than 30 feet in width tract between the rear ~~of a lot line~~ and the street right-of-way shall not be considered by the Town.

F. Blocks

The requirements and standards set forth in Section 6.5, shall apply to all subdivisions.

G. Streets

All streets shall comply with the requirements and standards set forth in Section 6.5, in addition to the following:

1. Compliance with Town Standards Required

All new streets within a subdivision shall be constructed in accordance with the Town of Erie Transportation Plan and the ~~Town of Erie~~ Standards and Specifications for Design and Construction of Public Improvements.

2. General Street Design Considerations

All new streets should be designed in relation to existing or planned streets, to topographic conditions, to public convenience and safety, and in relation to the proposed use of land to be served. Streets shall be extended to connect with existing streets, except where such extension is prevented by topography or other physical conditions or where the connection of streets with existing or probable future streets is deemed unnecessary by the Town for the advantageous development of adjacent properties.

3. Private Streets

Private streets may be permitted provided they meet all standards and specifications required for public streets and rights-of-ways or per a variance granted by the Town Engineer.

4. Street Intersections

- a. Freeways and arterial streets shall not be intersected by local streets. ~~Collector streets shall not intersect major arterial streets at intervals of less than 1,000 feet unless otherwise approved by the Public Works Director~~Town Engineer.
- b. No more than 2 streets shall intersect at 1 point.
- c. Streets shall intersect at 90 degrees, except where this may be impractical. Angles of less than 90 degrees may be designed, subject to the approval of the ~~Public Works Director~~Town Engineer.
- d. Two streets meeting a third street from opposite sides shall meet at the same point, or their centerlines shall be offset at least 150 feet. This requirement shall not apply to the alignment of opposing cul-de-sac streets, provided the cul-de-sacs are 100 feet long or less.

5. Street Right-of-Way Widths

Street right-of-way widths within the proposed subdivision, or boundary streets impacted by the proposed subdivision, shall follow the ~~Town's Transportation Plan~~Standards and Specifications.

6. Cul-de-sacs

All cul-de-sacs shall be designed in accordance with the ~~standards~~Standards and ~~specifications~~Specifications of the Town and the Fire District. ~~A cul-de-sac on a minor residential street/local road shall not be longer than 750 feet and at the closed end shall provide a turnaround with a right-of-way radius of at least 50 feet and a right-of-way diameter of at least 100 feet. The cul-de-sac shall be measured from the centerline of the intersecting street to the centerline of the cul-de-sac turnaround.~~

7. Street Arrangement and Connections

- a. Local streets shall be arranged so that their use by through traffic will be discouraged. Traffic calming techniques such as use of grid patterning, diverters and curvilinear alignments are encouraged to reduce speeds and cut-through traffic. All traffic calming measures shall be approved by the ~~Public Works Director~~Town Engineer.
- ~~b. Linear service streets paralleling a railroad right-of-way, freeway, or arterial street are prohibited.~~
- ~~c.b. Where a subdivision borders a railroad right-of-way, freeway, or arterial street, a landscaped buffer area of not less than 30 feet shall be provided for adequate reduction of noise pollution. This buffer is in addition to any required right-of-way, and exclusive of any lot size requirements. No driveway access shall be permitted from the lot directly to any highway, freeway, arterial, or railroad right-of-way unless otherwise approved by the Town Engineer.~~
- ~~d.c.~~ Dead-end streets (not cul-de-sac, or stub streets, etc.) shall not be permitted unless approved by the Board.

H. Alleys

Alleys are permitted subject to ~~compliance meeting all the standards in~~ with this Section and other pertinent sections of this UDC. All new alleys shall be constructed in accordance with ~~Town of Erie the~~ Standards and Specifications ~~for Design and Construction of Public Improvements.~~

1. Alleys in developments approved after the effective date of this UDC shall be privately owned and maintained. An easement in such alleys shall be granted to the Town and/or

other service providers for installation and maintenance of utilities, refuse collection, and similar facilities and services.

- ~~2. In residential districts, alleys should be parallel, or approximately parallel, to the frontage of the street. Alleys in residential districts shall provide a minimum of 16-20 feet of right-of-way when no utilities are located within them, and 30 feet when utilities are located within them. A minimum of 12 feet of pavement is required in either case.~~
- ~~3. Dead-end alleys shall not exceed 150 feet in length.~~
- ~~4.2. If an alley is provided, garage driveway connections shall be from an alley. In areas where no alley is provided, garage driveway connection shall be from the street.~~
- ~~5. Alleys may not exceed a maximum length of 600 feet without having a secondary outlet to a residential street.~~

I. Sidewalks, Curbs and Gutters

In all subdivisions, streets shall be constructed ~~in accordance with the~~ in accordance with the Town of Erie Standards and Specifications for Design and Construction of Public Improvements. Handicap accessible curb ramps from the sidewalk to street grade shall be provided, in conformance with the Americans with Disabilities Act and other applicable law ~~criteria~~.

J. Utility Easements

In addition to the following, the requirements ~~of and standards set forth in Subsection 6.4.G.~~ shall apply to all subdivisions provisions for utility easements.

1. Utility easements shall follow rear and side lot lines whenever practical, and the centerline of any easement should coincide with a joint property line.
2. Easements shall be determined so as to provide efficient installation of utilities and should integrate well with the Town's street design criteria.
3. Public utility installations shall be so located as to permit multiple utility installations within the easements, to avoid cross connections, to minimize trenching and adequately separate incompatible systems. No utilities shall be placed within 1 foot of the property line of any property. Where a portion of an existing easement is contiguous to a proposed easement or right-of-way of the new subdivision, proof of the dedication of the existing easement or right-of-way must be submitted to and be acceptable to the Town.
4. The location and width of all utility easements shall be subject to the approval of the Town and the utility providers.
5. Transmission lines shall be placed underground whenever practicable. The applicant shall make the necessary arrangements including any construction or installation charges with each of the serving utilities for the installation of such facilities.
6. Other utility equipment (including but not limited to transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts, street lighting utilities, and other facilities necessarily appurtenant to such underground utilities) shall be placed underground whenever practicable. If placed above-ground, such equipment shall not be located in street medians or on utility poles unless no practicable alternative exists. Such equipment shall also be screened as required by the screening requirements of Subsection 6.4.G.
7. The applicant shall establish rough-cut final utility grades prior to the utility installations.

K. Storm~~water~~ Water Drainage

1. General Provisions

- a. Drainage improvements shall be designed according to Town specifications and in accordance with Urban Drainage and Mile High Flood Control District standards.
- b. Drainage areas shall be left in a natural state or designed to appear natural in form unless otherwise approved by the Town.
- c. Complete drainage systems for the entire subdivision area shall be designed by a professional engineer, licensed in the State of Colorado and qualified to perform such work, and shall be shown graphically. All existing drainage features that are ~~to~~ be incorporated in the design shall be so identified. If the Final Plat is to be presented in phases, a general drainage plan for the entire area shall be presented with the first phase and appropriate development stages for the drainage system for each phase shall be indicated.

2. Design of Drainage Systems

- a. The drainage system shall be designed to consider the drainage basin as a whole and shall accommodate not only runoff from the subdivision area but also, where applicable, the system shall be designed to accommodate the runoff from those areas adjacent to and upstream from the subdivision itself, as well as its effects on lands downstream.
- b. Native re-vegetation techniques shall be used.
- c. Storm water drainage systems shall be designed according to Town specifications and in accordance with Urban Drainage and Mile High Flood Control District standards.
- ~~d. The drainage report to be included with the Preliminary Plat submittal materials shall be subject to review by the Town and outside referral agencies.~~
- e-d. A final drainage report shall be submitted and accepted by the Town prior to Final Plat approval. All drainage reports submitted to the Town shall be subject to review by the Town and outside referral agencies.

L. Water and Wastewater Lines

1. Oversizing Water and Wastewater Lines

Oversizing of water or wastewater lines may be required by the Town. In such cases the applicant shall pay for the cost of the line. The opportunity to recoup oversizing costs from future users is limited to 20 years, unless otherwise provided for by the Town by agreement.

2. Wastewater Line Standards

Design standards for wastewater lines shall be in accordance with the Standards and Specifications for Design and Construction of Public Improvements.

M. Water Courses and Ditches

The requirements and standards in Subsection 6.2.B, shall apply to all subdivision plats.

N. Water Supply

The requirements and standards in Title 8 of the Municipal Code apply to all subdivision applications.

10.5.5 IMPROVEMENTS

A. Improvements Required

Applicants shall be required to pay for and construct all on-site and off-site public improvements and common facilities that are required to adequately serve the proposed development or are deemed necessary to address the impact caused by the proposed development. Payment for and construction of such on-site and off-site public improvements and common facilities shall be a requirement of the approval of a proposed development under this UDC.

The public improvements and common facilities required to be paid for and constructed as part of the proposed development shall be governed by a separate Development Agreement. ~~The Development Agreement shall meet the requirements of this UDC and all other applicable adopted Town manuals and ordinances regarding the provision of the required public improvements and common facilities, including the Town's Standards and Specifications for Design and Construction of Public Improvements.~~

B. Improvement Guarantees

The requirements and standards for Improvement Guarantees set forth in Sections 7.19 and 7.20 shall apply to all site plan and/or subdivision improvements.

C. Town Utilities and Facilities ~~and Reimbursement for Qualifying Public Improvements~~

1. A proposed subdivision shall not, by reason of its location or design, cause an undue burden on existing Town utility systems or community facilities. What constitutes a burden shall be determined by the Town, and shall be fully examined during the annexation process for this possibility, prior to the final platting of the property. Where extension, enlargement, or construction of Town utility systems or community facilities are necessitated by a specific subdivision, the applicant will bear the costs of the necessary expansion, enlargement or construction.
2. In the event that the Town requires over-sizing of a utility or facility to serve future development or areas beyond the proposed subdivision, the Town and applicant may enter into an agreement for the applicant to recover an equitable portion of the excess born by the applicant.
3. In the event that the Town has constructed a utility or facility to serve future development and the proposed subdivision connects to said utility or facility, the Town and applicant may enter into an agreement for the Town to recover an equitable portion of the excess born by the Town.

D. As-Built Plans

Finished as-built plans of all public improvements as installed shall be required before the Town will accept the improvements.

~~E. Construction of Buildings~~

~~No proposed buildings designated on the approved Site Plan or Final Plat shall be erected nor shall building permits be issued for any subdivision until such time as the required public improvements or common facilities affecting all the lots designated on the approved Site Plan or Final Plat have been constructed or suitable provisions have been made for phasing of such construction in conformance with this UDC.~~

10.5.6 DEDICATION AND FEES IN-LIEU

A. Parks and Open Space

The requirements and standards set forth in Section 6.3 shall apply to all subdivisions.

B. Contribution for Public School Sites**1. Contribution Required**

~~For all subdivisions of land within or affecting the St. Vrain Valley School District RE-1J or the Boulder Valley School District RE-2 ("school district") attendance areas, the subdivider shall dedicate land for a public school site to that school district the subdivision is located within.~~

~~In the event the dedication of land is not deemed practicable or in the best interest of the school district, as determined by the superintendent or designee of the school district, the subdivider shall make a payment in lieu of land dedication. The amount of such contribution of either land or payment in lieu of land (the "fair contribution for public school sites") shall be determined pursuant to Town's Municipal Code. Residential subdivisions shall provide a fair contribution for public school sites to the school district in which they are located to be in conformance with the current Intergovernmental Agreement between the Town and St. Vrain Valley School District, RE-1J or the Town and Boulder Valley School District, RE-2.~~

2. Exceptions from Contribution

~~The following uses shall be excepted from the fair contribution for public school sites requirements:~~

- ~~a. Construction of any nonresidential building or structure;~~
- ~~b. Alteration, replacement, or expansion of any legally existing building or structure with a comparable new building or structure which does not increase the number of residential dwelling units;~~
- ~~c. Construction of any building or structure for a limited term stay or for long term assisted living, including, but not limited to, bed and breakfast establishments, boarding or rooming houses, family care homes, group care homes, halfway houses, hotels, motels, nursing homes, or hospices; and~~
- ~~d. Construction of any residential building or structure classified as housing for seniors, pursuant to the federal fair housing act, as amended.~~

3. Land Dedication and Site Related Requirements

~~In the event the fair contribution for public school sites includes the dedication of land and site related requirements (such as water dedication, utility extensions, etc.), the subdivider shall include on the Final Plat, dedication of the site to the school district. The developer's requirements for dedication of the site and site related requirements shall be in conformance with the current Inter-Governmental Agreement (IGA) between the Town and the School District.~~

4.2. Proof of Payment

If the fair contribution for public school sites includes payment in lieu of dedication of land, then prior to the issuance of any building permit for any residential dwelling unit in the subdivision not otherwise exempt under this Section, the Town shall be provided with proof that, for the lot for which the permit is sought, the required payment in lieu of dedication of land has been made to the school district.